

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**HERLI GARCIA-VERDECIA,**

**Plaintiff,**

**vs.**

**CIV. NO. 1:20-01233-SMV**

**KILOLO KIJAKAZI,  
Acting Commissioner of  
Social Security,**

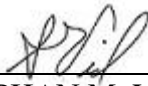
**Defendant.**

**ORDER**

Upon consideration of the Stipulated Motion for Award of Attorney Fees Under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, the Court hereby awards Plaintiff \$4,652.30 in attorney fees under the EAJA.

IT IS SO ORDERED that the Stipulated Motion for Award of Attorney Fees Under the Equal Access to Justice Act (Dkt. No. 30) is hereby GRANTED. Plaintiff is awarded attorney fees in the amount of \$4,652.30 as the prevailing party herein. If Plaintiff's counsel is subsequently awarded any fees pursuant to 42 U.S.C. § 406(b), she must refund the smaller award to Plaintiff pursuant to *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986).

IT IS SO ORDERED this 21st day of January 2022.

  
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STEPHAN M. VIDMAR  
United States Magistrate Judge  
Presiding by Consent

SUBMITTED AND APPROVED BY:

*Electronically submitted 1/21/2022*

VICTORIA V. JOHNSON

Special Assistant United States Attorney  
Attorney for Defendant

*Electronically approved 1/21/2022*

AMBER L. DENGLER

Attorney for Plaintiff